

09/24/98
JCS04 U.S. PTO
09/160635
09/24/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Packet No. A-60179-2/DJB/TAL

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application: 08/459,134

Examiner: E. Webman

Art Unit: 1615

Box PATENT APPLICATION FEE
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Vernon G. Wong and Frank Kochinke (Names of ALL Applicants), for IMPROVED FORMULATION FOR CONTROLLED RELEASE OF DRUGS BY COMBINING HYDROPHILIC AND HYDROPHOBIC AGENTS (Title of Invention). This ☒ continuation ☐ divisional ☐ continuation-in-part claims priority to pending application Serial No. 08/459,134, filed on June 2, 1995.

1. (a) ☐ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☒ Enclosed is a copy of the prior application.

2. (a) ☐ Enclosed is a new Declaration.

A-60179-2/DJB/TAL

"EXPRESS MAIL" MAILING LABEL

NUMBER T/3156452-604 US

DATE OF DEPOSIT 24 Sept. 1998

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER
37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Geody Domingo

SIGNED 

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09/160635
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(b) X Enclosed is a copy of the prior executed Declaration as originally filed.

(c) Enclosed is a Combined Declaration/Power of Attorney.

3. (a) Enclosed is a Small Entity Affidavit.

(b) X A Small Entity Affidavit is of record in the prior application.

4. X The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

| | (Col. 1) NO. FILED | (Col. 2) NO. EXTRA | SMALL ENTITY | | | OTHER THAN A SMALL ENTITY | |
|--|-----------------------|-----------------------|--------------|---------------|----------|------------------------------|-------------|
| FOR: | | | RATE | FEE | OR | RATE | FEE |
| BASIC FEE | | | | \$395 | OR | | \$790 |
| TOTAL CLAIMS | <u>20</u> - 20 = | * <u>0</u> | x11 = | \$ <u>0</u> | OR | x22 = | \$ <u>0</u> |
| INDEP CLAIMS | <u>4</u> - 3 = | * <u>1</u> | x41 = | \$ <u>41</u> | OR | x82 = | \$ <u>0</u> |
| [] MULTIPLE DEPENDENT CLAIM PRESENTED | | | +135 = | \$ <u>0</u> | OR | +270 = | \$ <u>0</u> |
| *If the difference in Col. 1 is less than zero, enter "0" in Col. 2. | | | TOTAL | \$ <u>436</u> | OR TOTAL | | \$ <u>0</u> |

5. X The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-60179-1/DJB/TAL).

6. X Our check in the amount of \$436.00 is enclosed.

7. Cancel in this application original claims of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. X Amend the specification by inserting before the first line the sentence:

--This is a X continuation division continuation-in-part of application Serial No. 08/459,134 filed June 2, 1995--

9. (a) X Informal drawings are enclosed, 4 sheets.

(b) Formal drawings are enclosed, sheets.

10. (a) _____ Priority of application Serial No. _____ filed on _____
_____ in _____ is claimed under 35
U.S.C. 119.

(b) _____ The certified copy has been filed in prior application
Serial No. _____ filed on _____.

11. _____ An Assignment is enclosed.

12. X _____ The prior application is assigned of record to _____
Oculex Pharmaceuticals, Inc.

13. _____ A Power of Attorney by Assignee is enclosed.

14. _____ The power of attorney in the prior application is to:

(name)

(address)

(a) X _____ The power appears in the original papers in the prior
application.

(b) _____ Since the power does not appear in the original papers, a copy
of the power in the prior application is enclosed.

(c) _____ Address all future communications to:

Todd A. Lorenz, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

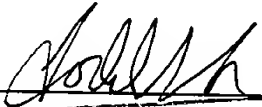
15. X _____ A preliminary amendment is enclosed. (Claims added by this
amendment have been properly numbered consecutively beginning
with the number next following the highest numbered original
claim in the prior application.)

16. _____ A Prior Art Statement is enclosed.

17. X I hereby verify that the attached papers are a true duplicate of prior application Serial No. 08/459,134 originally filed on June 2, 1995.

Date:

9/23/98



Todd A. Lorenz

Registration No. 39,754

Address of Signer:

 X Attorney or agent of record

FLEHR HOHBACH TEST

ALRBITTON & HERBERT, LLP

4 Embarcadero Center, Suite 3400

San Francisco, CA 94111

 Filed under Section 1.34(a)

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